

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**49TH LEGISLATIVE DAY**

**WEDNESDAY, MAY 11, 2005**

**12:30 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
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The House met pursuant to adjournment.

Representative Hannig in the chair.

Prayer by Pastor Jim Campbell with the Christ Life Church in Woodstock, Illinois.

Representative Giles led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

116 present. (ROLL CALL 1)

By unanimous consent, Representatives McKeon and Jerry Mitchell were excused from attendance.

### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1919, 1968 and 2062.

That the Floor Amendment be reported "recommends be adopted":

Amendments numbered 1, 2 and 3 to HOUSE BILL 4074.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 2, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson

N Black, William(R), Republican Spokesperson

Y Hannig, Gary(D)

N Hassert, Brent(R)

Y Turner, Arthur(D)

### **COMMITTEE ON RULES REFERRALS**

Representative Currie, Chairperson of the Committee on Rules, reported the following legislative measures and/or joint action motions have been assigned as follows:

Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 2011.

Labor: HOUSE RESOLUTION 425.

State Government Administration: HOUSE AMENDMENT No. 2 to HOUSE BILL 476.

### **MOTIONS SUBMITTED**

Representative Black submitted the following written motion, which was placed on the order of Motions:

#### **MOTION**

Pursuant to Rule 58(a), I move to discharge the Committee on Executive from further consideration of SENATE BILL 251 and be placed on the appropriate order of business.

Representative Black submitted the following written motion, which was placed on the order of Motions:

#### **MOTION**

Pursuant to House Rules, I make a motion to commit Amendments Numbered 1 and 2 to HOUSE BILL 4074 to the Committee on Judiciary I - Civil Law.

### **REQUEST FOR FISCAL NOTE**

Representative Lang requested that a Fiscal Note be supplied for HOUSE BILL 4074, as amended.

### **REQUEST FOR STATE MANDATES FISCAL NOTE**

Representative Lang requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 4074, as amended.

### **REQUEST FOR BALANCED BUDGET NOTE**

Representative Lang requested that a Balanced Budget Note be supplied for HOUSE BILL 4074, as amended.

### **REQUEST FOR CORRECTIONAL NOTE**

Representative Lang requested that a Correctional Note be supplied for HOUSE BILL 4074, as amended.

### **REQUEST FOR JUDICIAL NOTE**

Representative Lang requested that a Judicial Note be supplied for HOUSE BILL 4074, as amended.

### **MESSAGES FROM THE SENATE**

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 295

A bill for AN ACT concerning safety.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 295

Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 295 as follows:  
on page 1, by replacing lines 25 through 27 with the following:

"Each place of business which sells restricted use pesticides or non-restricted pesticides for use in the production of an agricultural commodity in containers with a capacity of 2.5 gallons or greater or 10 pounds or greater shall be considered a

separate entity for the purpose of registration."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 295 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 15

A bill for AN ACT concerning local government.

HOUSE BILL NO. 20

A bill for AN ACT concerning State government.

HOUSE BILL NO. 43  
 A bill for AN ACT concerning health.  
 HOUSE BILL NO. 116  
 A bill for AN ACT concerning insurance.  
 HOUSE BILL NO. 156  
 A bill for AN ACT concerning education.  
 HOUSE BILL NO. 172  
 A bill for AN ACT concerning children.  
 HOUSE BILL NO. 173  
 A bill for AN ACT concerning families.  
 HOUSE BILL NO. 181  
 A bill for AN ACT concerning State government.  
 HOUSE BILL NO. 197  
 A bill for AN ACT concerning insurance.  
 HOUSE BILL NO. 203  
 A bill for AN ACT concerning elections.  
 HOUSE BILL NO. 210  
 A bill for AN ACT concerning State government.  
 HOUSE BILL NO. 229  
 A bill for AN ACT concerning agriculture.  
 HOUSE BILL NO. 264  
 A bill for AN ACT concerning cemeteries.  
 HOUSE BILL NO. 270  
 A bill for AN ACT concerning revenue.  
 HOUSE BILL NO. 312  
 A bill for AN ACT concerning schools.  
 HOUSE BILL NO. 324  
 A bill for AN ACT concerning employment.  
 Passed by the Senate, May 11, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
 Ms. Hawker, Secretary:  
 Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has  
 concurred with the House in the passage of bills of the following titles to-wit:  
 HOUSE BILL NO. 373  
 A bill for AN ACT concerning public employee benefits.  
 HOUSE BILL NO. 381  
 A bill for AN ACT concerning criminal law.  
 HOUSE BILL NO. 386  
 A bill for AN ACT concerning transportation.  
 HOUSE BILL NO. 404  
 A bill for AN ACT concerning schools.  
 HOUSE BILL NO. 413  
 A bill for AN ACT concerning local government.  
 HOUSE BILL NO. 415  
 A bill for AN ACT concerning the military.  
 HOUSE BILL NO. 444  
 A bill for AN ACT concerning criminal law.  
 HOUSE BILL NO. 445  
 A bill for AN ACT concerning transportation.  
 HOUSE BILL NO. 497  
 A bill for AN ACT concerning State government.

HOUSE BILL NO. 518  
A bill for AN ACT concerning State government.  
HOUSE BILL NO. 521  
A bill for AN ACT concerning government.  
HOUSE BILL NO. 524  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 544  
A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 577  
A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 583  
A bill for AN ACT concerning civil law.  
HOUSE BILL NO. 593  
A bill for AN ACT concerning veterans.  
HOUSE BILL NO. 603  
A bill for AN ACT concerning revenue.  
HOUSE BILL NO. 611  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 701  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 723  
A bill for AN ACT concerning conservation.  
HOUSE BILL NO. 728  
A bill for AN ACT concerning education.  
HOUSE BILL NO. 729  
A bill for AN ACT concerning safety.  
HOUSE BILL NO. 731  
A bill for AN ACT concerning government.  
HOUSE BILL NO. 741  
A bill for AN ACT concerning public employee benefits.  
HOUSE BILL NO. 744  
A bill for AN ACT concerning school students.  
HOUSE BILL NO. 759  
A bill for AN ACT concerning children.  
HOUSE BILL NO. 785  
A bill for AN ACT concerning child support.  
HOUSE BILL NO. 828  
A bill for AN ACT concerning taxes.  
HOUSE BILL NO. 847  
A bill for AN ACT concerning State government.  
HOUSE BILL NO. 885  
A bill for AN ACT concerning criminal law, which may be referred to as the Patrick Leahy Law.  
HOUSE BILL NO. 887  
A bill for AN ACT concerning driving offenses.  
HOUSE BILL NO. 888  
A bill for AN ACT concerning transportation.  
Passed by the Senate, May 11, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has  
concurred with the House in the passage of bills of the following titles to-wit:  
HOUSE BILL NO. 908



A bill for AN ACT concerning education.  
HOUSE BILL NO. 911

A bill for AN ACT concerning government.  
HOUSE BILL NO. 917

A bill for AN ACT concerning human rights.  
HOUSE BILL NO. 923

A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 942

A bill for AN ACT concerning warehouses.  
HOUSE BILL NO. 950

A bill for AN ACT concerning liability.  
HOUSE BILL NO. 992

A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 996

A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 1002

A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 1005

A bill for AN ACT concerning regulation.  
HOUSE BILL NO. 1031

A bill for AN ACT concerning regulation.  
HOUSE BILL NO. 1051

A bill for AN ACT concerning education.  
HOUSE BILL NO. 1077

A bill for AN ACT concerning organ and tissue donation.  
HOUSE BILL NO. 1081

A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 1132

A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 1134

A bill for AN ACT concerning civil law.  
HOUSE BILL NO. 1151

A bill for AN ACT concerning conviction information.  
HOUSE BILL NO. 1157

A bill for AN ACT concerning local government.  
HOUSE BILL NO. 1182

A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 1301

A bill for AN ACT concerning regulation.  
HOUSE BILL NO. 1310

A bill for AN ACT concerning local government.  
HOUSE BILL NO. 1311

A bill for AN ACT concerning townships.  
HOUSE BILL NO. 1315

A bill for AN ACT concerning elections.  
HOUSE BILL NO. 1324

A bill for AN ACT concerning education.  
HOUSE BILL NO. 1333

A bill for AN ACT concerning local government.  
HOUSE BILL NO. 1339

A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 1343

A bill for AN ACT concerning education.  
HOUSE BILL NO. 1344

A bill for AN ACT concerning business.  
HOUSE BILL NO. 1345

A bill for AN ACT in relation to health.

HOUSE BILL NO. 1351

A bill for AN ACT concerning transportation.

Passed by the Senate, May 11, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 433

A bill for AN ACT concerning safety.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 433

Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 433 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 44 as follows:

(415 ILCS 5/44) (from Ch. 111 1/2, par. 1044)

Sec. 44. Criminal acts; penalties.

(a) Except as otherwise provided in this Section, it shall be a Class A misdemeanor to violate this Act or regulations thereunder, or any permit or term or condition thereof, or knowingly to submit any false information under this Act or regulations adopted thereunder, or under any permit or term or condition thereof. A court may, in addition to any other penalty herein imposed, order a person convicted of any violation of this Act to perform community service for not less than 100 hours and not more than 300 hours if community service is available in the jurisdiction. It shall be the duty of all State and local law-enforcement officers to enforce such Act and regulations, and all such officers shall have authority to issue citations for such violations.

(b) Calculated Criminal Disposal of Hazardous Waste.

(1) A person commits the offense of Calculated Criminal Disposal of Hazardous Waste when, without lawful justification, he knowingly disposes of hazardous waste while knowing that he thereby places another person in danger of great bodily harm or creates an immediate or long-term danger to the public health or the environment.

(2) Calculated Criminal Disposal of Hazardous Waste is a Class 2 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Calculated Criminal Disposal of Hazardous Waste is subject to a fine not to exceed \$500,000 for each day of such offense.

(c) Criminal Disposal of Hazardous Waste.

(1) A person commits the offense of Criminal Disposal of Hazardous Waste when, without lawful justification, he knowingly disposes of hazardous waste.

(2) Criminal Disposal of Hazardous Waste is a Class 3 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Criminal Disposal of Hazardous Waste is subject to a fine not to exceed \$250,000 for each day of such offense.

(d) Unauthorized Use of Hazardous Waste.

(1) A person commits the offense of Unauthorized Use of Hazardous Waste when he, being required to have a permit, registration, or license under this Act or any other law regulating the treatment, transportation, or storage of hazardous waste, knowingly:

(A) treats, transports, or stores any hazardous waste without such permit, registration, or license;

(B) treats, transports, or stores any hazardous waste in violation of the terms and conditions of such permit or license;

(C) transports any hazardous waste to a facility which does not have a permit or

license required under this Act; or

(D) transports by vehicle any hazardous waste without having in each vehicle credentials issued to the transporter by the transporter's base state pursuant to procedures established under the Uniform Program.

(2) A person who is convicted of a violation of subdivision (1)(A), (1)(B) or (1)(C) of this subsection is guilty of a Class 4 felony. A person who is convicted of a violation of subdivision (1)(D) is guilty of a Class A misdemeanor. In addition to any other penalties prescribed by law, a person convicted of violating subdivision (1)(A), (1)(B) or (1)(C) is subject to a fine not to exceed \$100,000 for each day of such violation, and a person who is convicted of violating subdivision (1)(D) is subject to a fine not to exceed \$1,000.

(e) Unlawful Delivery of Hazardous Waste.

(1) Except as authorized by this Act or the federal Resource Conservation and Recovery Act, and the regulations promulgated thereunder, it is unlawful for any person to knowingly deliver hazardous waste.

(2) Unlawful Delivery of Hazardous Waste is a Class 3 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Unlawful Delivery of Hazardous Waste is subject to a fine not to exceed \$250,000 for each such violation.

(3) For purposes of this Section, "deliver" or "delivery" means the actual, constructive, or attempted transfer of possession of hazardous waste, with or without consideration, whether or not there is an agency relationship.

(f) Reckless Disposal of Hazardous Waste.

(1) A person commits Reckless Disposal of Hazardous Waste if he disposes of hazardous waste, and his acts which cause the hazardous waste to be disposed of, whether or not those acts are undertaken pursuant to or under color of any permit or license, are performed with a conscious disregard of a substantial and unjustifiable risk that such disposing of hazardous waste is a gross deviation from the standard of care which a reasonable person would exercise in the situation.

(2) Reckless Disposal of Hazardous Waste is a Class 4 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Reckless Disposal of Hazardous Waste is subject to a fine not to exceed \$50,000 for each day of such offense.

(g) Concealment of Criminal Disposal of Hazardous Waste.

(1) A person commits the offense of Concealment of Criminal Disposal of Hazardous Waste when he conceals, without lawful justification, the disposal of hazardous waste with the knowledge that such hazardous waste has been disposed of in violation of this Act.

(2) Concealment of Criminal Disposal of a Hazardous Waste is a Class 4 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Concealment of Criminal Disposal of Hazardous Waste is subject to a fine not to exceed \$50,000 for each day of such offense.

(h) Violations; False Statements.

(1) Any person who knowingly makes a false material statement in an application for a permit or license required by this Act to treat, transport, store, or dispose of hazardous waste commits the offense of perjury and shall be subject to the penalties set forth in Section 32-2 of the Criminal Code of 1961.

(2) Any person who knowingly makes a false material statement or representation in any label, manifest, record, report, permit or license, or other document filed, maintained or used for the purpose of compliance with this Act in connection with the generation, disposal, treatment, storage, or transportation of hazardous waste commits a Class 4 felony. A second or any subsequent offense after conviction hereunder is a Class 3 felony.

(3) Any person who knowingly destroys, alters or conceals any record required to be made by this Act in connection with the disposal, treatment, storage, or transportation of hazardous waste, commits a Class 4 felony. A second or any subsequent offense after a conviction hereunder is a Class 3 felony.

(4) Any person who knowingly makes a false material statement or representation in any application, bill, invoice, or other document filed, maintained, or used for the purpose of receiving money from the Underground Storage Tank Fund commits a Class 4 felony. A second or any subsequent offense after conviction hereunder is a Class 3 felony.

(5) Any person who knowingly destroys, alters, or conceals any record required to be made or maintained by this Act or required to be made or maintained by Board or Agency rules for the

purpose of receiving money from the Underground Storage Tank Fund commits a Class 4 felony. A second or any subsequent offense after a conviction hereunder is a Class 3 felony.

(6) A person who knowingly and falsely certifies under Section 22.48 that an industrial process waste or pollution control waste is not special waste commits a Class 4 felony for a first offense and commits a Class 3 felony for a second or subsequent offense.

(7) In addition to any other penalties prescribed by law, a person convicted of violating this subsection (h) is subject to a fine not to exceed \$50,000 for each day of such violation.

(i) Verification.

(1) Each application for a permit or license to dispose of, transport, treat, store or generate hazardous waste under this Act shall contain an affirmation that the facts are true and are made under penalty of perjury as defined in Section 32-2 of the Criminal Code of 1961. It is perjury for a person to sign any such application for a permit or license which contains a false material statement, which he does not believe to be true.

(2) Each request for money from the Underground Storage Tank Fund shall contain an affirmation that the facts are true and are made under penalty of perjury as defined in Section 32-2 of the Criminal Code of 1961. It is perjury for a person to sign any request that contains a false material statement that he does not believe to be true.

(j) Violations of Other Provisions.

(1) It is unlawful for a person knowingly to violate:

- (A) subsection (f) of Section 12 of this Act;
- (B) subsection (g) of Section 12 of this Act;
- (C) any term or condition of any Underground Injection Control (UIC) permit;
- (D) any filing requirement, regulation, or order relating to the State Underground Injection Control (UIC) program;
- (E) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 13 of this Act;
- (F) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 39 of this Act;
- (G) any National Pollutant Discharge Elimination System (NPDES) permit issued under this Act or any term or condition of such permit;
- (H) subsection (h) of Section 12 of this Act;
- (I) subsection 6 of Section 39.5 of this Act;
- (J) any provision of any regulation, standard or filing requirement under Section 39.5 of this Act; ~~or~~
- (K) a provision of the Procedures for Asbestos Emission Control in subsection (c) of Section 61.145 of Title 40 of the Code of Federal Regulations; or -
- (L) the standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations in Section 61.150 of Title 40 of the Code of Federal Regulations.

(2) A person convicted of a violation of subdivision (1) of this subsection commits a Class 4 felony, and in addition to any other penalty prescribed by law is subject to a fine not to exceed \$25,000 for each day of such violation.

(3) A person who negligently violates the following shall be subject to a fine not to exceed \$10,000 for each day of such violation:

- (A) subsection (f) of Section 12 of this Act;
- (B) subsection (g) of Section 12 of this Act;
- (C) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 13 of this Act;
- (D) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 39 of this Act;
- (E) any National Pollutant Discharge Elimination System (NPDES) permit issued under this Act;
- (F) subsection 6 of Section 39.5 of this Act; or
- (G) any provision of any regulation, standard, or filing requirement under Section 39.5 of this Act.

(4) It is unlawful for a person knowingly to:

- (A) make any false statement, representation, or certification in an application form, or form pertaining to, a National Pollutant Discharge Elimination System (NPDES) permit;

(B) render inaccurate any monitoring device or record required by the Agency or Board in connection with any such permit or with any discharge which is subject to the provisions of subsection (f) of Section 12 of this Act;

(C) make any false statement, representation, or certification in any form, notice or report pertaining to a CAAPP permit under Section 39.5 of this Act;

(D) render inaccurate any monitoring device or record required by the Agency or Board in connection with any CAAPP permit or with any emission which is subject to the provisions of Section 39.5 of this Act; or

(E) violate subsection 6 of Section 39.5 of this Act or any CAAPP permit, or term or condition thereof, or any fee or filing requirement.

(5) A person convicted of a violation of subdivision (4) of this subsection commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed \$10,000 for each day of violation.

(k) Criminal operation of a hazardous waste or PCB incinerator.

(1) A person commits the offense of criminal operation of a hazardous waste or PCB incinerator when, in the course of operating a hazardous waste or PCB incinerator, he knowingly and without justification operates the incinerator (i) without an Agency permit, or in knowing violation of the terms of an Agency permit, and (ii) as a result of such violation, knowingly places any person in danger of great bodily harm or knowingly creates an immediate or long term material danger to the public health or the environment.

(2) Any person who commits the offense of criminal operation of a hazardous waste or PCB incinerator for the first time commits a Class 4 felony and, in addition to any other penalties prescribed by law, shall be subject to a fine not to exceed \$100,000 for each day of the offense.

Any person who commits the offense of criminal operation of a hazardous waste or PCB incinerator for a second or subsequent time commits a Class 3 felony and, in addition to any other penalties prescribed by law, shall be subject to a fine not to exceed \$250,000 for each day of the offense.

(3) For the purpose of this subsection (k), the term "hazardous waste or PCB incinerator" means a pollution control facility at which either hazardous waste or PCBs, or both, are incinerated. "PCBs" means any substance or mixture of substances that contains one or more polychlorinated biphenyls in detectable amounts.

(l) It shall be the duty of all State and local law enforcement officers to enforce this Act and the regulations adopted hereunder, and all such officers shall have authority to issue citations for such violations.

(m) Any action brought under this Section shall be brought by the State's Attorney of the county in which the violation occurred, or by the Attorney General, and shall be conducted in accordance with the applicable provisions of the Code of Criminal Procedure of 1963.

(n) For an offense described in this Section, the period for commencing prosecution prescribed by the statute of limitations shall not begin to run until the offense is discovered by or reported to a State or local agency having the authority to investigate violations of this Act.

(o) In addition to any other penalties provided under this Act, if a person is convicted of (or agrees to a settlement in an enforcement action over) illegal dumping of waste on the person's own property, the Attorney General, the Agency or local prosecuting authority shall file notice of the conviction, finding or agreement in the office of the Recorder in the county in which the landowner lives.

(p) Criminal Disposal of Waste.

(1) A person commits the offense of Criminal Disposal of Waste when he or she:

(A) if required to have a permit under subsection (d) of Section 21 of this Act, knowingly conducts a waste-storage, waste-treatment, or waste-disposal operation in a quantity that exceeds 250 cubic feet of waste without a permit; or

(B) knowingly conducts open dumping of waste in violation of subsection (a) of Section 21 of this Act.

(2) (A) A person who is convicted of a violation of item (A) of subdivision (1) of this subsection is guilty of a Class 4 felony for a first offense and, in addition to any other penalties provided by law, is subject to a fine not to exceed \$25,000 for each day of violation. A person who is convicted of a violation of item (A) of subdivision (1) of this subsection is guilty of a Class 3 felony for a second or subsequent offense and, in addition to any other penalties provided by law, is subject to a fine not to exceed \$50,000 for each day of violation.

(B) A person who is convicted of a violation of item (B) of subdivision (1) of this

subsection is guilty of a Class A misdemeanor. However, a person who is convicted of a second or subsequent violation of item (B) of subdivision (1) of this subsection for the open dumping of waste in a quantity that exceeds 250 cubic feet is guilty of a Class 4 felony and, in addition to any other penalties provided by law, is subject to a fine not to exceed \$5,000 for each day of violation. (Source: P.A. 89-235, eff. 8-4-95; 90-219, eff. 7-25-97; 90-344, eff. 1-1-98; 90-502, eff. 8-19-97; 90-655, eff. 7-30-98.)

Section 99. Effective date. This Act takes effect upon becoming law."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 433 was placed on the Calendar on the order of Concurrence.

A message from the Senate by  
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 528

A bill for AN ACT concerning the Township Code.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 528

Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 528 on page 1, line 12, after the period, by inserting the following:

"The surplus shall be maintained in a separate fund and not commingled with the township general fund. The surplus shall not be derived from any township tax levy."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 528 was placed on the Calendar on the order of Concurrence.

A message from the Senate by  
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 769

A bill for AN ACT concerning transportation.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 769

Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 769 on page 2, by replacing lines 27 and 28 with the following:

"driving privileges. Such notation shall not be"; and  
on page 3, line 17, by replacing "The Secretary" with "Except as provided in subsection (b-1), the ~~The~~ Secretary".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 769 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 909

A bill for AN ACT concerning counties.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 909

Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 909 on page 6, between lines 18 and 19, by inserting the following:

"Any ordinance adopted by Grundy County that approves the economic development plan shall contain findings that the economic development project is reasonably expected to create or retain not less than 250 full-time equivalent jobs, that private investment in an amount not less than \$50,000,000 is reasonably expected to occur in the economic development project area, that the economic development project will encourage the increase of commerce and industry within the State, thereby reducing the evils attendant upon unemployment and increasing opportunities for personal income, and that the economic development project will increase or maintain the property, sales, and income tax bases of the county and of the State."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 909 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 1058

A bill for AN ACT concerning business.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 1058

Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 1058, on page 2, line 3, after "or", by replacing "parties" with "period of time"; and

on page 2, line 23, after "party", by deleting ", parties,"; and  
on page 2, line 25, after "party", by deleting ", parties,"; and  
on page 2, line 32, after "party", by deleting the comma; and  
on page 2, line 33, by deleting "parties,"; and  
on page 3, line 30, after "party", by deleting ", parties,".

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 1058 was placed on the Calendar on the order of Concurrence.

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 1071

A bill for AN ACT concerning procurement.  
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:  
Senate Amendment No. 1 to HOUSE BILL NO. 1071  
Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1071 on page 1, by replacing line 16 with the following:  
""electronic mail service provider"".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1071 was placed on the Calendar on the order of Concurrence.

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 1349

A bill for AN ACT concerning State government.  
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:  
Senate Amendment No. 1 to HOUSE BILL NO. 1349  
Passed the Senate, as amended, May 11, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1349 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 24-9.5 as follows:  
(720 ILCS 5/24-9.5 new)

Sec. 24-9.5. Handgun safety devices.

(a) It is unlawful for a person licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923) to offer for sale, sell, or transfer a handgun to a person not licensed under that Act, unless he or she offers for sale, sells, or includes with the handgun a device or mechanism, other than the firearm safety, designed to render the handgun temporarily inoperable or inaccessible. This includes but is not limited to:

(1) An external device that is:

(i) attached to the handgun with a key or combination lock; and

(ii) designed to prevent the handgun from being discharged unless the device has been deactivated.

(2) An integrated mechanical safety, disabling, or locking device that is:

(i) built into the handgun; and

(ii) designed to prevent the handgun from being discharged unless the device has been deactivated.

(b) Sentence. A person who violates this Section is guilty of a Class C misdemeanor and shall be fined not less than \$1,000. A second or subsequent violation of this Section is a Class A misdemeanor.

(c) For the purposes of this Section, "handgun" has the meaning ascribed to it in clause (h)(2) of subsection (A) of Section 24-3 of this Code.

(d) This Section does not apply to:

(1) the purchase, sale, or transportation of a handgun to or by a federally licensed firearms dealer or manufacturer that provides or services a handgun for:



- (i) personnel of any unit of the federal government;
- (ii) members of the armed forces of the United States or the National Guard;
- (iii) law enforcement personnel of the State or any local law enforcement agency in the State while acting within the scope of their official duties; and
- (iv) an organization that is required by federal law governing its specific business or activity to maintain handguns and applicable ammunition;
- (2) a firearm modified to be permanently inoperative;
- (3) the sale or transfer of a handgun by a federally licensed firearms dealer or manufacturer described in item (1) of this subsection (d);
- (4) the sale or transfer of a handgun by a federally licensed firearms dealer or manufacturer to a lawful customer outside the State; or
- (5) an antique firearm."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1349 was placed on the Calendar on the order of Concurrence.

A message from the Senate by  
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 572

A bill for AN ACT concerning local government.  
Passed by the Senate, May 11, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILL 572 was ordered printed and to a First Reading.

A message from the Senate by  
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1548

A bill for AN ACT concerning appropriations.  
Passed by the Senate, May 11, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILL 1548 was ordered printed and to a First Reading.

### REPORTS FROM STANDING COMMITTEES

Representative Collins, Chairperson, from the Committee on Public Utilities to which the following were referred, action taken on May 10, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 239.

The committee roll call vote on Senate Bill 239 is as follows:  
9, Yeas; 1, Nays; 0, Answering Present.

Y Collins,Annazette(D), Chairperson  
 Y Davis,Monique(D)  
 N Holbrook,Thomas(D), Vice-Chairperson  
 Y Jones,Lovana(D)  
 Y Saviano,Angelo(R)

Y Biggins,Bob(R)  
 Y Hassert,Brent(R)  
 Y Jefferson,Charles(D)  
 Y Leitch,David(R)  
 Y Watson,Jim(R), Republican Spokesperson

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on May 10, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 66.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 229 and 1825.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Standard Debate: SENATE BILLS 25 and 193.

That the Floor Amendment be reported "recommends be adopted":  
 Amendment No. 2 to HOUSE BILL 3144.

The committee roll call vote on Senate Bill 66 and Amendment No. 2 to House Bill 3144 is as follows:  
 24, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman,Jay(D), Chairperson  
 Y Black,William(R)  
 Y Brauer,Rich(R)  
 Y D'Amico,John(D)  
 Y Froehlich,Paul(R)  
 Y Joyce,Kevin(D)  
 Y Mathias,Sidney(R)  
 Y McCarthy,Kevin(D)  
 Y Miller,David(D), Vice-Chairperson  
 Y Molaro,Robert(D)  
 Y Poe,Raymond(R)  
 A Stephens,Ron(R)  
 Y Tryon,Michael(R)  
 Y Washington,Eddie(D)

Y Beiser,Daniel(D)  
 Y Bost,Mike(R)  
 Y Brosnahan,James(D)  
 Y Fritchey,John(D)  
 Y Graham,Deborah(D)  
 Y Lyons,Joseph(D)  
 Y McAuliffe,Michael(R)  
 Y Mendoza,Susana(D)  
 A Millner,John(R)  
 Y Nekritz,Elaine(D)  
 Y Soto,Cynthia(D)  
 A Tenhouse,Art(R)  
 Y Wait,Ronald(R), Republican Spokesperson

The committee roll call vote on Senate Bill 229 is as follows:  
 23, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman,Jay(D), Chairperson  
 Y Black,William(R)  
 Y Brauer,Rich(R)  
 Y D'Amico,John(D)  
 Y Froehlich,Paul(R)  
 Y Joyce,Kevin(D)  
 Y Mathias,Sidney(R)  
 Y McCarthy,Kevin(D)  
 Y Miller,David(D), Vice-Chairperson  
 A Molaro,Robert(D)  
 Y Poe,Raymond(R)  
 A Stephens,Ron(R)  
 Y Tryon,Michael(R)  
 Y Washington,Eddie(D)

Y Beiser,Daniel(D)  
 Y Bost,Mike(R)  
 Y Brosnahan,James(D)  
 Y Fritchey,John(D)  
 Y Graham,Deborah(D)  
 Y Lyons,Joseph(D)  
 Y McAuliffe,Michael(R)  
 Y Mendoza,Susana(D)  
 A Millner,John(R)  
 Y Nekritz,Elaine(D)  
 Y Soto,Cynthia(D)  
 A Tenhouse,Art(R)  
 Y Wait,Ronald(R), Republican Spokesperson

The committee roll call vote on Senate Bill 1825 is as follows:  
 21, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson  
 Y Black, William(R)  
 Y Brauer, Rich(R)  
 Y D'Amico, John(D)  
 Y Froehlich, Paul(R)  
 A Joyce, Kevin(D)  
 Y Mathias, Sidney(R)  
 Y McCarthy, Kevin(D)  
 A Miller, David(D), Vice-Chairperson  
 A Molaro, Robert(D)  
 Y Poe, Raymond(R)  
 A Stephens, Ron(R)  
 Y Tryon, Michael(R)  
 Y Washington, Eddie(D)

Y Beiser, Daniel(D)  
 Y Bost, Mike(R)  
 Y Brosnahan, James(D)  
 Y Fritchey, John(D)  
 Y Graham, Deborah(D)  
 Y Lyons, Joseph(D)  
 Y McAuliffe, Michael(R)  
 Y Mendoza, Susana(D)  
 A Millner, John(R)  
 Y Nekritz, Elaine(D)  
 Y Soto, Cynthia(D)  
 A Tenhouse, Art(R)  
 Y Wait, Ronald(R), Republican Spokesperson

The committee roll call vote on Senate Bill 25 is as follows:

16, Yeas; 6, Nays; 0, Answering Present.

A Hoffman, Jay(D), Chairperson  
 N Black, William(R)  
 Y Brauer, Rich(R)  
 N D'Amico, John(D)  
 Y Froehlich, Paul(R)  
 Y Joyce, Kevin(D)  
 Y Mathias, Sidney(R)  
 Y McCarthy, Kevin(D)  
 N Miller, David(D), Vice-Chairperson  
 A Molaro, Robert(D)  
 Y Poe, Raymond(R)  
 A Stephens, Ron(R)  
 Y Tryon, Michael(R)  
 Y Washington, Eddie(D)

N Beiser, Daniel(D)  
 N Bost, Mike(R)  
 N Brosnahan, James(D)  
 Y Fritchey, John(D)  
 Y Graham, Deborah(D)  
 Y Lyons, Joseph(D)  
 Y McAuliffe, Michael(R)  
 Y Mendoza, Susana(D)  
 A Millner, John(R)  
 Y Nekritz, Elaine(D)  
 Y Soto, Cynthia(D)  
 A Tenhouse, Art(R)  
 Y Wait, Ronald(R), Republican Spokesperson

The committee roll call vote on Senate Bill 193 is as follows:

14, Yeas; 5, Nays; 1, Answering Present.

A Hoffman, Jay(D), Chairperson  
 N Black, William(R)  
 N Brauer, Rich(R)  
 Y D'Amico, John(D)  
 Y Froehlich, Paul(R)  
 Y Joyce, Kevin(D)  
 Y Mathias, Sidney(R)  
 Y McCarthy, Kevin(D)  
 A Miller, David(D), Vice-Chairperson  
 A Molaro, Robert(D)  
 N Poe, Raymond(R)  
 A Stephens, Ron(R)  
 A Tryon, Michael(R)  
 Y Washington, Eddie(D)

Y Beiser, Daniel(D)  
 N Bost, Mike(R)  
 Y Brosnahan, James(D)  
 P Fritchey, John(D)  
 Y Graham, Deborah(D)  
 Y Lyons, Joseph(D)  
 Y McAuliffe, Michael(R)  
 Y Mendoza, Susana(D)  
 A Millner, John(R)  
 Y Nekritz, Elaine(D)  
 Y Soto, Cynthia(D)  
 A Tenhouse, Art(R)  
 N Wait, Ronald(R), Republican Spokesperson

Representative Smith, Chairperson, from the Committee on Approp-Elementary & Secondary Education to which the following were referred, action taken on May 10, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 3350, 3377, 3380, 3905, 3906 and 3907.

The committee roll call vote on House Bills 3350, 3377, 3380, 3905, 3906 and 3907 is as follows:  
12, Yeas; 8, Nays; 0, Answering Present.

Y Smith,Michael(D), Chairperson	Y Acevedo,Edward(D)
Y Bassi,Suzanne(R), Republican Spokesperson	N Bradley,John(D)
N Chavez,Michelle(D)	A Coulson,Elizabeth(R)
Y Davis,William(D), Vice-Chairperson	Y Delgado,William(D)
Y Eddy,Roger(R)	Y Flowers,Mary(D)
N Gordon,Careen(D)	Y Howard,Constance(D)
N Jakobsson,Naomi(D)	N Kosel,Renee(R)
Y Lindner,Patricia(R)	Y Lyons,Eileen(R)
A Mitchell,Jerry(R)	N Pihos,Sandra(R)
N Ryg,Kathleen(D)	N Schock,Aaron(R)
Y Sullivan,Ed(R)	Y Younge,Wyvetter(D)

Representative Boland, Chairperson, from the Committee on Financial Institutions to which the following were referred, action taken on May 10, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 385 and 1629.

The committee roll call vote on Senate Bill 385 is as follows:

21, Yeas; 0, Nays; 0, Answering Present.

Y Boland,Mike(D), Chairperson	A Acevedo,Edward(D)
Y Bellock,Patricia(R)	A Bradley,Richard(D)
Y Brauer,Rich(R)	A Burke,Daniel(D), Vice-Chairperson
Y Coulson,Elizabeth(R)	Y Cultra,Shane(R)
Y Davis,Monique(D)	Y Dunkin,Kenneth(D)
Y Dunn,Joe(R)	Y Fritchey,John(D)
A Giles,Calvin(D)	Y Holbrook,Thomas(D)
Y Hultgren,Randall(R)	Y Jenisch,Roger(R)
A Jones,Lovana(D)	Y Lyons,Joseph(D)
Y Mautino,Frank(D)	Y McAuliffe,Michael(R)
A McCarthy,Kevin(D)	A Mitchell,Bill(R), Republican Spokesperson
Y Munson,Ruth(R)	A Osterman,Harry(D)
Y Reis,David(R)	Y Reitz,Dan(D)
Y Rose,Chapin(R)	Y Schock,Aaron(R)
A Smith,Michael(D)	Y Watson,Jim(R)

The committee roll call vote on Senate Bill 1629 is as follows:

23, Yeas; 0, Nays; 0, Answering Present.

Y Boland,Mike(D), Chairperson	A Acevedo,Edward(D)
Y Bellock,Patricia(R)	A Bradley,Richard(D)
Y Brauer,Rich(R)	A Burke,Daniel(D), Vice-Chairperson
Y Coulson,Elizabeth(R)	Y Cultra,Shane(R)
Y Davis,Monique(D)	Y Dunkin,Kenneth(D)
Y Dunn,Joe(R)	Y Fritchey,John(D)
Y Giles,Calvin(D)	Y Holbrook,Thomas(D)
Y Hultgren,Randall(R)	Y Jenisch,Roger(R)
A Jones,Lovana(D)	Y Lyons,Joseph(D)
Y Mautino,Frank(D)	Y McAuliffe,Michael(R)
A McCarthy,Kevin(D)	A Mitchell,Bill(R), Republican Spokesperson
Y Munson,Ruth(R)	A Osterman,Harry(D)
Y Reis,David(R)	Y Reitz,Dan(D)
Y Rose,Chapin(R)	Y Schock,Aaron(R)

Y Smith,Michael(D)

Y Watson,Jim(R)

Representative Yarbrough, Chairperson, from the Committee on Housing and Urban Development to which the following were referred, action taken on May 10, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 966.

The committee roll call vote on Senate Bill 966 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Yarbrough,Karen(D), Chairperson

A Biggins,Bob(R)

Y Graham,Deborah(D)

Y Kelly,Robin(D)

A McKeon,Larry(D), Vice-Chairperson

Y Patterson,Milton(D)

A Poe,Raymond(R)

Y Schmitz,Timothy(R)

A Bassi,Suzanne(R)

Y Froehlich,Paul(R)

Y Hamos,Julie(D)

Y Leitch,David(R), Republican Spokesperson

Y Nekritz,Elaine(D)

A Pihos,Sandra(R)

Y Ryg,Kathleen(D)

Y Younge,Wyvetter(D)

Representative Colvin, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on May 10, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 233 and 501.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Standard Debate: SENATE BILL 92.

The committee roll call vote on Senate Bill 501 is as follows:

10, Yeas; 1, Nays; 0, Answering Present.

Y Colvin,Marlow(D), Chairperson

A Bost,Mike(R)

Y Chapa LaVia,Linda(D)

Y Millner,John(R)

Y Rita,Robert(D)

A Tenhouse,Art(R)

Y Washington,Eddie(D)

N Gordon,Careen(D), Vice-Chairperson

Y Brady,Dan(R), Republican Spokesperson

Y Mendoza,Susana(D)

Y Parke,Terry(R)

Y Scully,George(D)

Y Tryon,Michael(R)

The committee roll call vote on Senate Bill 233 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Colvin,Marlow(D), Chairperson

Y Bost,Mike(R)

Y Chapa LaVia,Linda(D)

Y Millner,John(R)

Y Rita,Robert(D)

A Tenhouse,Art(R)

A Washington,Eddie(D)

Y Gordon,Careen(D), Vice-Chairperson

Y Brady,Dan(R), Republican Spokesperson

Y Mendoza,Susana(D)

Y Parke,Terry(R)

Y Scully,George(D)

Y Tryon,Michael(R)

The committee roll call vote on Senate Bill 92 is as follows:

7, Yeas; 2, Nays; 2, Answering Present.

P Colvin,Marlow(D), Chairperson

A Bost,Mike(R)

Y Chapa LaVia,Linda(D)

Y Millner,John(R)

N Gordon,Careen(D), Vice-Chairperson

Y Brady,Dan(R), Republican Spokesperson

Y Mendoza,Susana(D)

Y Parke,Terry(R)

Y Rita,Robert(D)  
A Tenhouse,Art(R)  
P Washington,Eddie(D)

Y Scully,George(D)  
N Tryon,Michael(R)

## RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

### HOUSE RESOLUTION 425

Offered by Representative Verschoore:

WHEREAS, The status of fragmented building requirements in Illinois is of serious concern to those involved in building, design, and construction; and

WHEREAS, Of the 102 counties in this State, less than half have adopted a building code; and

WHEREAS, Over 40 states have adopted some portion of a model building code; and

WHEREAS, Illinois already has adopted a statewide plumbing code and a statewide accessibility code; and

WHEREAS, Building codes promote public safety; and

WHEREAS, Illinois does not have a statewide building code, but does have a collection of building requirements not equitably administered and enforced within the construction industry; and

WHEREAS, Illinois citizens are entitled to safe, affordable, and responsible accommodations; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that there is created a Task Force on a Uniform Building Code for the purpose of examining and making recommendations pertaining to the adoption of a uniform building code for the State of Illinois; and be it further

RESOLVED, That the Task Force shall be comprised of 2 House members, one appointed by the Speaker of the House and one appointed by the House Minority Leader; 2 Senate members, one appointed by the Senate President and one appointed by the Senate Minority Leader; one person appointed by the Governor; one person appointed by an organization representing home builders; one person appointed by an organization representing roofing contractors; one person appointed by a union representing licensed plumbers; one person appointed by an organization representing architects; one person appointed by an organization representing structural engineers; one person appointed by an organization representing building trades; one person appointed by an organization representing realtors; one person appointed by an organization representing code administrators; one person appointed by an organization representing municipal governments in the State; one person appointed by the Office of the State Fire Marshal; and representatives of any other organizations who express interest in writing of their participation to the Illinois Building Commission or its successor agency; and be it further

RESOLVED, That the Task Force members shall serve on a voluntary basis and shall be responsible for any costs associated with their participation in the Task Force; and be it further

RESOLVED, That the Task Force shall meet a minimum of 4 times; and be it further

RESOLVED, That the Illinois Building Commission or its successor agency shall facilitate the Task Force and shall summarize its findings and recommendations in a written report to the Governor and the General Assembly no later than May 1, 2006.

### HOUSE RESOLUTION 398

Offered by Representative McKeon:

WHEREAS, Modern research suggests that marijuana is a valuable aid in the treatment of a wide range of clinical applications, including pain relief; controlling nausea and vomiting; stimulating appetite in patients suffering from HIV, AIDS wasting syndrome, or the side effects of chemotherapy; and reducing spasticity and other symptoms of movement disorders; and

WHEREAS, Research also shows that marijuana is a powerful appetite stimulant for patients suffering

from HIV, AIDS wasting syndrome, chronic pain, or the side effects of chemotherapy; and

WHEREAS, Many medical organizations, including the American Public Health Association, the National Academy of Sciences' Institute of Medicine, the U.S. National Institutes of Health Workshop on Medical Marijuana, the American Nurses Association, and the Illinois Nurses Association have investigated the medical use of marijuana and issued favorable findings; and

WHEREAS, Voters in eight states and the legislatures of two states have recognized the importance of the medical use of marijuana by adopting laws exempting patients who use marijuana under their physicians' supervision from state criminal penalties; and

WHEREAS, The State of Illinois has recognized the legitimacy of the medicinal use of marijuana by enacting Section 11 of the Cannabis Control Act, which establishes procedures for the possession, production, manufacture, and delivery of substances containing marijuana by persons engaged in research and when the authorization is requested by a licensed physician for the treatment of conditions that may benefit from the medicinal use of marijuana; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we find that State law should make a distinction between the medical and non-medical use of marijuana; and be it further

RESOLVED, That the Director of Public Health shall establish a committee to investigate and assess options for legal protection that would allow seriously ill patients to use medical marijuana without facing criminal prosecution under State law; and be it further

RESOLVED, That the committee shall consist of the following members: (i) one representative of the Department of Public Health; (ii) one representative of the Department of Human Services; (iii) two members from the House of Representatives, one chosen by the Speaker of the House and the other by the Minority Leader; (iv) one member of the judiciary; (v) one representative of public defenders; (vi) one representative of the Department of State Police; (vii) two physicians, one of whom shall be a physician specializing in pain management; (viii) one nurse; (ix) one representative of an AIDS advocacy organization; (x) one representative from a health care advocacy organization; (xi) one person living with a serious illness, or the person's representative; (xii) one person experienced in palliative care; and (xiii) one representative of a seriously ill patient's family who serves or who has served as the patient's caregiver; and be it further

RESOLVED, That the Director of Public Health may appoint other non-voting members to ensure that the committee has the necessary expertise and experience to perform its duties; and be it further

RESOLVED, That all agencies and instrumentalities of the State shall assist and cooperate with the committee by providing the committee the information and analysis that the committee deems necessary for the performance of its duties, subject to applicable laws of privilege and confidentiality; the committee shall have all powers necessary to carry out its purposes; and be it further

RESOLVED, That at its first meeting, the committee shall choose a chairperson from among its membership; the Department of Public Health shall provide professional and administrative support for the committee; committee members who are not full-time employees of the State shall be entitled to travel expenses; and be it further

RESOLVED, That the committee must report its findings and recommendations to the Governor and to the General Assembly on or before February 1, 2006; the report shall:

- (1) make findings regarding the value of using marijuana to ameliorate symptoms associated with severe illnesses and the treatment of those illnesses, comparing marijuana to related prescription counterparts currently available in the United States or Canada;
- (2) summarize the experiences of medical providers, members of the criminal justice system, medical marijuana program administrators, and medical marijuana patients in states that permit the medical use of marijuana;
- (3) summarize the effects of the prohibition of medical marijuana on patients in states that currently prohibit it and include in the summary: (i) testimony of persons arrested for using or growing medical marijuana; and (ii) the effects of their experience on their mental and physical health;
- (4) identify the methods of providing and procuring marijuana for medical use that
  - (i) reduce the risk of stigma and danger of prosecution for patients;
  - (ii) reduce the risk that marijuana intended for medical uses will be obtained and used for non-medical purposes; and
  - (iii) implement quality control measures that ensure that patients are not harmed by the medical use of marijuana;
  - (iv) ensure proper State regulation of access to medical marijuana that establishes patient access to medical marijuana; and
- (5) identify the range of daily marijuana use necessary to accomplish an ameliorative

result and what plant limit is needed to cover that range per an individual patient, including in the summary testimony of patients in states where medical marijuana is legal regarding the sufficiency of other states' plant limits; and be it further

RESOLVED, That a copy of this resolution be delivered to the Director of Public Health.

#### HOUSE RESOLUTION 404

Offered by Representative Acevedo:

WHEREAS, Illinois is home to five major military bases: Rock Island Arsenal, Scott Air Force Base, Illinois Air National Guard posts in Springfield and Peoria, and the Great Lakes Naval Training Center in North Chicago; and

WHEREAS, These bases provide direct or indirect employment to more than 72,000 people and have an estimated annual economic impact of about \$2.7 billion; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge President George W. Bush and the Congress of the United States of America to allow the military bases located in the State of Illinois to remain open; and be it further

RESOLVED, That suitable copies of this resolution be presented to President George W. Bush, the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and to each member of the Illinois Congressional Delegation.

#### HOUSE RESOLUTION 424

Offered by Representative Hoffman:

WHEREAS, It recently came to light that 2 State agencies disposed of documents without shredding or otherwise effectively destroying the documents, and the information contained in the documents was exposed and available to the public; and

WHEREAS, At a time when identity theft and invasion of privacy are problems of increasing magnitude, it is essential that the State and its agencies safeguard confidential information in its custody; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed to study the best practices of other states in implementing controls to ensure the proper disposal of confidential information; and be it further

RESOLVED, That the Auditor General is directed to commence the study and report the results upon completion in accordance with the provisions of Section 3-14 of the Illinois State Auditing Act; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Auditor General.

#### HOUSE JOINT RESOLUTION 57

Offered by Representative Flowers:

WHEREAS, Modern research suggests that marijuana is a valuable aid in the treatment of a wide range of clinical applications, including pain relief; controlling nausea and vomiting; stimulating appetite in patients suffering from HIV, AIDS wasting syndrome, or the side effects of chemotherapy; and reducing spasticity and other symptoms of movement disorders; and

WHEREAS, Research also shows that marijuana is a powerful appetite stimulant for patients suffering from HIV, AIDS wasting syndrome, chronic pain, or the side effects of chemotherapy; and

WHEREAS, Many medical organizations, including the American Public Health Association, the National Academy of Sciences' Institute of Medicine, the U.S. National Institutes of Health Workshop on Medical Marijuana, the American Nurses Association, and the Illinois Nurses Association have



investigated the medical use of marijuana and issued favorable findings; and

WHEREAS, Voters in eight states and the legislatures of two states have recognized the importance of the medical use of marijuana by adopting laws exempting patients who use marijuana under their physicians' supervision from state criminal penalties; and

WHEREAS, The State of Illinois has recognized the legitimacy of the medicinal use of marijuana by enacting Section 11 of the Cannabis Control Act, which establishes procedures for the possession, production, manufacture, and delivery of substances containing marijuana by persons engaged in research and when the authorization is requested by a licensed physician for the treatment of conditions that may benefit from the medicinal use of marijuana; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we find that State law should make a distinction between the medical and non-medical use of marijuana; and be it further

RESOLVED, That the Director of Public Health shall establish a committee to investigate and assess options for legal protection that would allow seriously ill patients to use medical marijuana without facing criminal prosecution under State law; and be it further

RESOLVED, That the committee shall consist of the following members: (i) one representative of the Department of Public Health; (ii) one representative of the Department of Human Services; (iii) two members from the House of Representatives, one chosen by the Speaker of the House and the other by the Minority Leader; (iv) two members of the Senate, one chosen by the President of the Senate, and one by the Minority Leader; (v) one member of the judiciary; (vi) one representative of public defenders; (vii) one representative of the Department of State Police; (viii) two physicians, one of whom shall be a physician specializing in pain management; (ix) one nurse; (x) one representative of an AIDS advocacy organization; (xi) one representative from a health care advocacy organization; (xii) one person living with a serious illness, or the person's representative; (xiii) one person experienced in palliative care; and (xiv) one representative of a seriously ill patient's family who serves or who has served as the patient's caregiver; and be it further

RESOLVED, That the Director of Public Health may appoint other non-voting members to ensure that the committee has the necessary expertise and experience to perform its duties; and be it further

RESOLVED, That all agencies and instrumentalities of the State shall assist and cooperate with the committee by providing the committee the information and analysis that the committee deems necessary for the performance of its duties, subject to applicable laws of privilege and confidentiality; the committee shall have all powers necessary to carry out its purposes; and be it further

RESOLVED, That at its first meeting, the committee shall choose a chairperson from among its membership; the Department of Public Health shall provide professional and administrative support for the committee; committee members who are not full-time employees of the State shall be entitled to travel expenses; and be it further

RESOLVED, That the committee must report its findings and recommendations to the Governor and to the General Assembly on or before February 1, 2006; the report shall:

(1) make findings regarding the value of using marijuana to ameliorate symptoms associated with severe illnesses and the treatment of those illnesses, comparing marijuana to related prescription counterparts currently available in the United States or Canada;

(2) summarize the experiences of medical providers, members of the criminal justice system, medical marijuana program administrators, and medical marijuana patients in states that permit the medical use of marijuana;

(3) summarize the effects of the prohibition of medical marijuana on patients in states that currently prohibit it and include in the summary: (i) testimony of persons arrested for using or growing medical marijuana; and (ii) the effects of their experience on their mental and physical health;

(4) identify the methods of providing and procuring marijuana for medical use that (i) reduce the risk of stigma and danger of prosecution for patients; (ii) reduce the risk that marijuana intended for medical uses will be obtained and used for non-medical purposes; and (iii) implement quality control measures that ensure that patients are not harmed by the medical use of marijuana; (iv) ensure proper State regulation of access to medical marijuana that establishes patient access to medical marijuana; and

(5) identify the range of daily marijuana use necessary to accomplish an ameliorative result and what plant limit is needed to cover that range per an individual patient, including in the summary testimony of patients in states where medical marijuana is legal regarding the sufficiency of

other states' plant limits; and be it further

RESOLVED, That a copy of this resolution be delivered to the Director of Public Health.

### **INTRODUCTION AND FIRST READING OF BILL**

The following bill was introduced, read by title a first time, ordered printed and placed in the Committee on Rules:

HOUSE BILL 4075. Introduced by Representatives Mulligan - Coulson, AN ACT concerning appropriations.

### **SENATE BILLS ON FIRST READING**

Having been printed, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 776, 1848, 1849, 1853 and 1854.

### **AGREED RESOLUTIONS**

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

#### **HOUSE RESOLUTION 416**

Offered by Representatives Millner, Lindner and Smith:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with sadness of the passing of Sergeant Daniel P. Figgins of Elgin, who died in the line of duty on Saturday, April 9, 2005; and

WHEREAS, He was born on March 28, 1952, in Elgin, to Paul and Marilyn Figgins; he was a graduate of Larkin High School in 1970; and

WHEREAS, He began his career with the St. Charles Police Department in 1977 as a Patrol Officer; in 1985, he received training and was certified as a Tactical Officer; the following year, he became certified as a Field Training Officer, responsible for the training and supervision of police recruits; he was promoted to the rank of Sergeant in 1988 and was certified as a Police Supervisor the same year; during his 27 years with the St. Charles Police Department, he received over 650 hours of police, supervisory, and developmental training; and

WHEREAS, Sergeant Figgins made the ultimate sacrifice in the line of duty, when he succumbed to a heart attack while engaged in a foot pursuit of a criminal; and

WHEREAS, As a 27-year veteran of the St. Charles police force, Sergeant Figgins was well-liked by members in all levels of the police organization; he had a quick wit that was often times off-beat and quirky and was rarely seen without a smile on his face; he had a natural sense of right and wrong and was the type of supervisor that set a positive example for new and seasoned officers alike; and

WHEREAS, He was a dedicated member of Christ Community Church in St. Charles and shared his great joy in his spiritual beliefs, but never tried to pressure anyone to adopt his religious convictions; he was a wonderful, loving, and devoted husband, father, son, and brother and never hesitated to brag about the accomplishments of his family; and

WHEREAS, The passing of Sergeant Daniel P. Figgins has been deeply felt by many, especially his wife, Linda, whom he married on August 12, 1972; his daughters, Kristin (Ryan) Dierking and Hillary (Jonathan) Jarvis; his father, Paul Figgins; his brothers, Ted (Peggy) Figgins, Ron Figgins, Doug Figgins, and Craig Figgins; his sister, Anitalynn (Ky) Katz; and his many aunts, uncles, nieces, and nephews; he was preceded in death by his mother, Marilyn, on April 30, 2002; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that together with his family, community, comrades on the police force, and all who knew and loved him, we mourn the passing of Sergeant Daniel P. Figgins, a selfless man, always willing to give of his time to others; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his wife, Linda, as an expression of

our sincerest condolences for this deep loss.

#### HOUSE RESOLUTION 417

Offered by Representative Bassi:

WHEREAS, Waldon O. Degner, who served on the board of commissioners of the Palatine Park District from 1969 to 2005, has recently retired; while a commissioner, he served several terms as the board's president, vice-president, and treasurer; and

WHEREAS, During his tenure on the Palatine Park Board, park properties increased from 170 acres to 665 acres, recreation programs expanded from 40 to 1,200, and the annual budget grew from \$500,000 to \$14 million; among his many accomplishments, he was instrumental in the acquisition of property for, and the \$250,000 renovation of, the George Clayson House Museum, and he negotiated the acquisition by the Park District and the Village of Palatine of the former Palatine High School, which is now the Palatine Community Center and the site of Cutting Hall; and

WHEREAS, Mr. Degner served on the board of the Illinois Association of Park Districts (IAPD) from 1977 to 1983, was vice-president from 1976 to 1978, served on several committees, and was a speaker on numerous state conference and national congress educational session panels; he received the Allen A. Weissburg Award for his long-term service to Palatine and to the Illinois Association of Park Districts; he was instrumentally involved in hiring two IAPD executive directors, helped guide the IAPD through tumultuous times of change, and was one of the principal authors of the Memorandum of Understanding which led to the effective cooperation on several fronts between IAPD and the Illinois Park and Recreation Association; and

WHEREAS, He was raised in Oshkosh, Wisconsin, and graduated from Oshkosh High School in 1954; he actively served in the U.S. Marine Corps from 1954 to 1956 and attended the University of Wisconsin from 1956 to 1961; he was a career employee as a revenue officer with the Internal Revenue Service; and

WHEREAS, He and his wife, Janet, have three children, Carl, Curt, and Amy, and six grandchildren; he was a volunteer leader with Boy Scouts of America Troop 69; he also served on the Board of Trustees and as Treasurer of St. Paul United Church of Christ from 1977 to 1981; and

WHEREAS, His enthusiasm for his commissioner's role, his example to other commissioners, his support of staff, and his loyalty to the residents of Palatine Park District have been extremely positive and demonstrated excellent community service and leadership skills; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we offer our sincere appreciation to Waldon O. Degner for his many years of exemplary service to the Palatine Park District and wish him well in his retirement and his future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Waldon O. Degner as an expression of our admiration and esteem.

#### HOUSE RESOLUTION 418

Offered by Representative Howard:

WHEREAS, Chicago Area Project was established in 1934 as a model for juvenile delinquency prevention and youth and community services; and

WHEREAS, The effectiveness of the Chicago Area Project model has been recognized by the State of Illinois and replicated in many communities throughout the State; and

WHEREAS, Area Projects have formed the Illinois Council of Area Projects; and

WHEREAS, Community services and after-school programs operated by community-based organizations provide opportunities and experiences for our youth that have a positive impact on their development; and

WHEREAS, Chicago Area Project and the Illinois Council of Area Projects are sponsoring Youth Democracy Day on May 11, 2005; and

WHEREAS, Youth Democracy Day celebrates the skills, talents, and potential of our youth and encourages their knowledge of, and involvement in, the democratic process; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Chicago Area Project and the Illinois Council of Area Projects for sponsoring Youth Democracy Day on May 11, 2005, and encourage the youth of our State to learn about and participate in the democratic process.

#### HOUSE RESOLUTION 419

Offered by Representative Younge:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Patricia Ann Way, a Special Education teacher at Nelson Mandela Elementary School, on the occasion of her retirement after 38 years in education; and

WHEREAS, In 1967, Mrs. Way was employed by East St. Louis School District 189 as an English, Speech, and Drama teacher at Lincoln High School; she later received her Masters in Special Education and has continued to work in that field through her retirement; and

WHEREAS, To enhance her teaching experience, she traveled to China, Japan, and South America and has presented workshops to other teachers about her travels; she also is trained and serves as a paramedic; and

WHEREAS, Mrs. Way is active in the school and in the community; at the school, she served on several committees, including Art, Spelling Bee, Social Studies, Elementary Arts Curriculum K-12, East St. Louis History, Graduation, Christmas, Retirement, and Decorations for all seasons; she is also an Art Museum Friend, Botanical Gardens Friends, Missouri History Museum Friend, and a Friend of the Symphony; and

WHEREAS, She has given generously of her time and resources to Nelson Mandela School and the community; she has been recognized for her service by School District 189's Fine Arts Department, Special Education Department, and Social Studies Department, as well as the International Education Consortium and the Federal Reserve - Education Division; she is the proud mother of two successful sons and grandmother of six; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Patricia Ann Way on the occasion of her retirement, and we thank her for her many years of dedication to the education of students in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mrs. Way as an expression of our respect and esteem and with best wishes for a relaxing retirement.

#### HOUSE RESOLUTION 420

Offered by Representative Younge:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Brenda Hannah on the occasion of her retirement; and

WHEREAS, A product of the East St. Louis Public School System, she attended Dunbar Elementary School, Hughes-Quinn Jr. High, and graduated from Lincoln Senior High School in 1962; she received a Bachelor of Science degree from Southern Illinois University at Edwardsville; and

WHEREAS, Her career with the East St. Louis School District began as a teacher's aide at Longfellow Elementary School; she later began her full-time teaching career at Dunbar Elementary School, where she taught for over 30 years; she recently transferred to John Robinson Elementary School, where she will be concluding her teaching career; and

WHEREAS, Married to Harry Hannah, Ms. Hannah is the mother of two sons, Todd and Keith Hannah; she has five grandchildren and six sisters; she loves to write short stories and poetry; she penned the motto for the former State Community College in East St. Louis, "It's not how much ground you cover, but the tracks you leave behind."; she also authored the poem "ABC School", which expresses her love for children and teaching; and

WHEREAS, She has been a member of Mount Olive Baptist Church for more than 50 years; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL

ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Brenda Hannah on the occasion of her retirement, and we thank her for the many years she dedicated to educating students in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Ms. Hannah as an expression of our deepest respect and esteem and with best wishes for a relaxing retirement.

#### HOUSE RESOLUTION 421

Offered by Representative Joyce:

WHEREAS, The members of the House of Representatives of the State of Illinois take great pride in and express gratitude to those citizens who assume great personal risk to protect the lives and well-being of other citizens; and

WHEREAS, On December 26, 2003, Chicago Fire Department Lieutenant Daniel Mullaney was in the fire truck enroute to refuel when he spotted smoke from a fire at a low-rise CHA apartment building; through his quick-thinking and selfless actions, Lt. Mullaney entered the burning building not once, but twice, to rescue two young girls trapped in the building; and

WHEREAS, As a result of his heroism, Lt. Mullaney has been honored previously; he was the 2004 recipient of the Carter Harrison Award given by the City of Chicago; he is being honored this month as a recipient of the Firefighting Medal of Honor; and

WHEREAS, He is a 24-year veteran of the Chicago Fire Department and lives in Mt. Greenwood with his wife, Kerry, and their four children, Luke, Maggie, Mike, and Dan; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Chicago Fire Department Lt. Daniel Mullaney on being awarded the Firefighting Medal of Honor, and we salute the courage and valor he exhibits regularly on the job; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Lt. Mullaney as an expression of our respect and esteem.

#### HOUSE RESOLUTION 422

Offered by Representatives Bellock, Jenisch, Eileen Lyons, Tryon and Hamos:

WHEREAS, On May 7, 2005, on her 90th birthday, Rachel Fairbanks Sweitzer of Wilmette was awarded one of France's most distinguished awards, the National Order of the Legion of Honor, for her service as a nurse in the Normandy invasion; and

WHEREAS, Mr. Richard Barbeyron, the French consul general in Chicago, presented Mrs. Sweitzer with the award; the same award was given to astronaut Neil Armstrong and former Secretary of the State Colin Powell; and

WHEREAS, The National Order of the Legion of Honor, created by Napoleon Bonaparte in 1802, recognizes feats of military valor and distinguished achievements in the arts, teaching, agriculture, trade, and industry; and

WHEREAS, Mrs. Sweitzer, who grew up in Fairwater, Wisconsin, graduated from St. Agnes School of Nursing in Fond du Lac in 1935; she worked for Hines VA Hospital near Maywood and was "loaned" to the military; she was assigned to a surgical unit under Gen. George Patton's 3rd Army during World War II; after being moved to several U.S. locations, she was transported to England and spent months traveling from one battle site to another with a surgical unit; in some cases, a truck served as an operating room; another truck followed with provisions; it was during this time that she met her husband, Caesar Sweitzer, a doctor serving in another unit; her military stint ended after the war in February of 1946; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor Rachel Fairbanks Sweitzer for her valuable contributions to her country and congratulate her on the distinction of being awarded the National Order of the Legion of Honor; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Rachel Fairbanks Sweitzer as an expression of our utmost admiration and esteem.

## HOUSE RESOLUTION 423

Offered by Representative Phelps:

WHEREAS, The Southeastern Illinois College forensics squad decisively won the 2005 Phi Rho Pi division I overall cumulative national championship; and

WHEREAS, The 12-member team amassed 260 points, a team record, to defeat 72 other schools in one of the most competitive tournaments in the recent history of Phi Rho Pi, the national forensics organization; this is the third national championship in individual events competition won by the Southeastern squad; it is only the second time the school has won the overall championship; the first time was in 1986; and

WHEREAS, Division I overall championship is the cumulative team score that includes points in three categories, including individual events, reader's theater, and debate; Southeastern participates only in individual events, but surpassed the other teams which had entered in all three categories; and

WHEREAS, The team broke many other school records covering the 32-year history of the program; there were 34 events that made it into semi-final rounds, and the old record was 31 in 1996; the conversion of semi-final breaks into finals was 19 for 56% resulting in a conversion to 17 gold medals, and the old record was 13 gold medals in 1997; every team member advanced into finals and brought home a gold medal; that has never happened in the history of the program; and

WHEREAS, The coaches of the team are Paul Cummins and Johan Rice; Emily Rollman is the assistant coach; team members include Amie Naas, Bethany Wilson, Amy Oglesby, Katie Richey, Krista Farmer, Jessica Brasier, Ethan Fife, Travis Boots, Josh McCluskey, Dug Hall, Michael Steudeman, and Stephanie Youroukous; and

WHEREAS, Krista Farmer won second most valuable speaker in the nation, bringing home 35 points, including three gold medals and one bronze; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Southeastern Illinois College forensics squad on winning the Phi Rho Pi division I overall cumulative national championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Southeastern Illinois College forensics squad as an expression of our esteem.

## HOUSE BILL ON SECOND READING

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 4074.

## RECALL

By unanimous consent, on motion of Representative Saviano, SENATE BILL 139 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

## SENATE BILLS ON SECOND READING

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 559.

SENATE BILL 635. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Administration, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 635 as follows:  
on page 1, line 14, after "State", by inserting "through Amtrak or its successor"; and  
on page 1, lines 21 and 27, by replacing "Director" each time it appears with "chief operating officer"; and

on page 1, line 21, by deleting "agency".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 658 and 767.

SENATE BILL 780. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Administration, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 780 by replacing everything after the enacting clause with the following:

"Section 5. The Voluntary Payroll Deductions Act of 1983 is amended by changing Section 3 as follows: (5 ILCS 340/3) (from Ch. 15, par. 503)

Sec. 3. Definitions. As used in this Act unless the context otherwise requires:

(a) "Employee" means any regular officer or employee who receives salary or wages for personal services rendered to the State of Illinois, and includes an individual hired as an employee by contract with that individual.

(b) "Qualified organization" means an organization representing one or more benefiting agencies, which organization is designated by the State Comptroller as qualified to receive payroll deductions under this Act. An organization desiring to be designated as a qualified organization shall:

(1) Submit written designations on forms approved by the State Comptroller by 4,000 or more employees or State annuitants, in which such employees or State annuitants indicate that the organization is one for which the employee or State annuitant intends to authorize withholding. The forms shall require the name, last 4 digits only of the social security number, and employing State agency for each employee. Upon notification by the Comptroller that such forms have been approved, the organization shall, within 30 days, notify in writing the Governor or his or her designee of its intention to obtain the required number of designations. Such organization shall have 12 months from that date to obtain the necessary designations and return to the State Comptroller's office the completed designations, which shall be subject to verification procedures established by the State Comptroller;

(2) Certify that all benefiting agencies are tax exempt under Section 501(c)(3) of the Internal Revenue Code;

(3) Certify that all benefiting agencies are in compliance with the Illinois Human Rights Act;

(4) Certify that all benefiting agencies are in compliance with the Charitable Trust Act and the Solicitation for Charity Act;

(5) Certify that all benefiting agencies actively conduct health or welfare programs and provide services to individuals directed at one or more of the following common human needs within a community: service, research, and education in the health fields; family and child care services; protective services for children and adults; services for children and adults in foster care; services related to the management and maintenance of the home; day care services for adults; transportation services; information, referral and counseling services; services to eliminate illiteracy; the preparation and delivery of meals; adoption services; emergency shelter care and relief services; disaster relief services; safety services; neighborhood and community organization services; recreation services; social adjustment and rehabilitation services; health support services; or a combination of such services designed to meet the special needs of specific groups, such as children and youth, the ill and infirm, and the physically handicapped; and that all such benefiting agencies provide the above described services to individuals and their families in the community and surrounding area in which the organization conducts its fund drive, or that such benefiting agencies provide relief to victims of natural disasters and other emergencies on a where and as needed basis;

(6) Certify that the organization has disclosed the percentage of the organization's total collected receipts from employees or State annuitants that are distributed to the benefiting agencies and the percentage of the organization's total collected receipts from employees or State annuitants that

are expended for fund-raising and overhead costs. These percentages shall be the same percentage figures annually disclosed by the organization to the Attorney General. The disclosure shall be made to all solicited employees and State annuitants and shall be in the form of a factual statement on all petitions and in the campaign's brochures for employees and State annuitants;

(7) Certify that all benefiting agencies receiving funds which the employee or State annuitant has requested or designated for distribution to a particular community and surrounding area use a majority of such funds distributed for services in the actual provision of services in that community and surrounding area;

(8) Certify that neither it nor its member organizations will solicit State employees for contributions at their workplace, except pursuant to this Act and the rules promulgated thereunder. Each qualified organization, and each participating United Fund, is encouraged to cooperate with all others and with all State agencies and educational institutions so as to simplify procedures, to resolve differences and to minimize costs;

(9) Certify that it will pay its share of the campaign costs and will comply with the Code of Campaign Conduct as approved by the Governor or other agency as designated by the Governor; and

(10) Certify that it maintains a year-round office, the telephone number, and person responsible for the operations of the organization in Illinois. That information shall be provided to the State Comptroller at the time the organization is seeking participation under this Act.

Each qualified organization shall submit to the State Comptroller between January 1 and March 1 of each year, a statement that the organization is in compliance with all of the requirements set forth in paragraphs (2) through (10). The State Comptroller shall exclude any organization that fails to submit the statement from the next solicitation period.

In order to be designated as a qualified organization, the organization shall have existed at least 2 years prior to submitting the written designation forms required in paragraph (1) and shall certify to the State Comptroller that such organization has been providing services described in paragraph (5) in Illinois. If the organization seeking designation represents more than one benefiting agency, it need not have existed for 2 years but shall certify to the State Comptroller that each of its benefiting agencies has existed for at least 2 years prior to submitting the written designation forms required in paragraph (1) and that each has been providing services described in paragraph (5) in Illinois.

Organizations which have met the requirements of this Act shall be permitted to participate in the State and Universities Combined Appeal as of January 1st of the year immediately following their approval by the Comptroller.

Where the certifications described in paragraphs (2), (3), (4), (5), (6), (7), (8), (9), and (10) above are made by an organization representing more than one benefiting agency they shall be based upon the knowledge and belief of such qualified organization. Any qualified organization shall immediately notify the State Comptroller in writing if the qualified organization receives information or otherwise believes that a benefiting agency is no longer in compliance with the certification of the qualified organization. A qualified organization representing more than one benefiting agency shall thereafter withhold and refrain from distributing to such benefiting agency those funds received pursuant to this Act until the benefiting agency is again in compliance with the qualified organization's certification. The qualified organization shall immediately notify the State Comptroller of the benefiting agency's resumed compliance with the certification, based upon the qualified organization's knowledge and belief, and shall pay over to the benefiting agency those funds previously withheld.

In order to qualify, a qualified organization must receive 250 deduction pledges from the immediately preceding solicitation period as set forth in Section 6. The Comptroller shall, by February 1st of each year, so notify any qualified organization that failed to receive the minimum deduction requirement, at least 500 payroll deduction pledges during each immediately preceding solicitation period as set forth in Section 6. The notification shall give such qualified organization until March 1st to provide the Comptroller with documentation that the minimum 500 deduction requirement has been met. On the basis of all the documentation, the Comptroller shall, by March 15th of each year, submit to the Governor or his or her designee, or such other agency as may be determined by the Governor, a list of all organizations which have met the minimum 500 payroll deduction requirement. Only those organizations which have met such requirements, as well as the other requirements of this Section, shall be permitted to solicit State employees or State annuitants for voluntary contributions, and the Comptroller shall discontinue withholding for any such organization which fails to meet these requirements, except qualified organizations that received deduction pledges during the 2004 solicitation period are deemed to be qualified for the 2005 solicitation



period.

(c) "United Fund" means the organization conducting the single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and services purposes, which is commonly known as the United Fund, or the organization which serves in place of the United Fund organization in communities where an organization known as the United Fund is not organized.

In order for a United Fund to participate in the State and Universities Employees Combined Appeal, it shall comply with the provisions of paragraph (9) of subsection (b).

(d) "State and Universities Employees Combined Appeal", otherwise known as "SECA", means the State-directed joint effort of all of the qualified organizations, together with the United Funds, for the solicitation of voluntary contributions from State and University employees and State annuitants.

(e) "Retirement system" means any or all of the following: the General Assembly Retirement System, the State Employees' Retirement System of Illinois, the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, and the Judges Retirement System.

(f) "State annuitant" means a person receiving an annuity or disability benefit under Article 2, 14, 15, 16, or 18 of the Illinois Pension Code.

(Source: P.A. 91-357, eff. 7-29-99; 91-533, eff. 8-13-99; 91-896, eff. 7-6-00; 92-634, eff. 7-11-02.)

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 834 and 849.

SENATE BILL 1220. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1220 on page 1, line 24, after "over", by inserting "and for all residents under age 65 who have a chronic medical condition"; and on page 3, line 3, after "over", by inserting "and for all residents under age 65 who have a chronic medical condition"; and on page 4, line 10, after "over", by inserting "and for all residents under age 65 who have a chronic medical condition".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1221 and 1235.

SENATE BILL 1354. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Administration, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1354 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-215 as follows:

(20 ILCS 605/605-215 new)

Sec. 605-215. Interagency Military Base Support and Economic Development Committee.

(a) To coordinate the State's activities on and to act as a communications center for issues relating to current and former military bases in the State, the Interagency Military Base Support and Economic Development Committee is created as an entity within the Department.

(b) The Committee shall be composed of the following 6 ex officio members or their designees: the Director of Commerce and Economic Opportunity, the Secretary of Transportation, the Director of Natural Resources, the Director of the Environmental Protection Agency, the Director of Revenue, and the Adjutant General of the Department of Military Affairs. In addition, 4 members of the General Assembly shall be appointed, one each appointed by the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives. The chair of the committee, in consultation with the full Committee, shall appoint 8 public members to serve as representatives from the counties, or adjoining counties, of a current or former military base site as necessary to carry out the work of the Commission.

(c) The Director of Commerce and Economic Opportunity shall serve as chair of the Committee, and shall oversee the administration of the Committee and its functions. Expenses necessary to carry out the function of the Committee shall be shared among the agencies represented on the Committee pursuant to an interagency agreement and from funds appropriated for this purpose or from existing funds within the budgets of those agencies. General Assembly appointees shall serve for the duration of the General Assembly in which the appointee is appointed, but the appointee's term shall expire if the appointee no longer remains a member of that General Assembly. The Committee shall meet not less than quarterly.

(d) Each member of the Committee must request reimbursement from his or her individual agency for actual and necessary expenses incurred while performing his or her duties as a member of the Committee. Public members shall be reimbursed from funds appropriated to the Department for that purpose.

(e) The Committee shall provide advice and recommendations to the Department on the following:

(1) The formation of a strategic plan for State and local military base retention, realignment, and reuse efforts.

(2) The issues impacting current and former military bases in the State, including infrastructure requirements, environmental impact issues, military force structure possibilities, tax implications, property considerations, and other issues requiring State agency coordination and support.

(3) The status of community involvement and participation in retention, realignment, and reuse efforts and the community support for economic development before and after a military base closing.

(4) The State's retention, realignment, and reuse advocacy efforts on the federal level.

(5) The development of impact studies concerning the closing of a base on the community, housing, the economy, schools, and other public and private entities, including additional economic development ideas to minimize the impact in the event of the base closing.

(6) The development of future economic expansion plans for areas that are subject to closure or realignment.

(f) The Committee, in cooperation with the Department, shall keep the Governor and General Assembly informed concerning the progress of military base retention, realignment, reuse, and economic development efforts in the State.

(g) The Committee shall serve as the central information clearinghouse for all military base reuse, retention, and realignment activities. This shall include: (i) serving as a liaison between the State and community organizations that support the long-term viability of military bases; (ii) communicating with the State's congressional delegation; and (iii) generally coordinating with the public, governmental bodies, and officials in communicating about the future of military bases in the State.

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1443, 1444, 1461 and 1491.

SENATE BILL 1627. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Veterans Affairs, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1627, on page 1, by replacing lines 20 through 22 with the following:

"Employer" means (1) any person, partnership, corporation, association, or other business

entity; and (2) the"; and  
on page 1, by replacing line 31 with the following:

"(a) Any employer, as defined in Section 5 of this Act, that employs between 15 and 50 employees shall provide up to 15 days of unpaid family military leave to an employee during the time federal or State deployment orders are in effect, subject to the conditions set forth in this Section. Family military leave granted under this Act may consist of unpaid leave.

(b) An employer, as defined in Section 5 of this Act, that employs more than 50 employees"; and  
on page 2, line 1, by replacing "entitled to" with "shall provide"; and  
on page 2, line 1, after "leave", by inserting "to an employee"; and  
on page 2, line 6, by replacing "(b)" with "(c)"; and  
on page 2, line 9, after "days.", by inserting "Where able, the employee shall consult with the employer to schedule the leave so as to not unduly disrupt the operations of the employer."; and  
on page 2, line 14, by replacing "(c)" with "(d)".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1639.

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 1654.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1665.

SENATE BILL 1669. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1669 on page 1, line 12, by adding after "proceeding." the following:

"The officer under investigation shall inform the employer of any person who will be present on his or her behalf during any interrogation except at a public administrative hearing."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1680.

SENATE BILL 1698. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1698, on page 4, by replacing lines 1 through 6 with the following:

""Health care professional" means a physician licensed to practice medicine in all of its branches under the Illinois Medical Practice Act of 1987 or a clinical psychologist licensed under the Clinical Psychologist Licensing Act."; and

on page 4, line 8, by replacing "qualified" with "health care"; and

on page 5, line 13, after "research", by inserting "and complies with the Illinois Health Statistics Act"; and

on page 5, line 14, after "individual", by inserting "or health care professional"; and  
 on page 5, line 15, after "public.", by inserting "This data shall be subject to the provisions of the Communicable Disease Report Act."; and  
 on page 5, immediately below line 18, by inserting the following:

"(f) Any person making a report under this Act shall have immunity from any liability, civil or criminal, that may result by reason of making the report, except for willful or wanton misconduct."; and  
 on page 6, line 18, after "State.", by inserting "This Act shall be subject to appropriation."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1723, 1734, 1738, 1751, 1752, 1770, 1771, 1814, 1884 and 1907.

SENATE BILL 1931. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1931 by replacing everything after the enacting clause with the following:

"Section 5. The Education for Homeless Children Act is amended by changing Sections 1-25 and 1-30 as follows:

(105 ILCS 45/1-25)

Sec. 1-25. Ombudspersons; dispute resolution; civil actions.

(a) Each regional superintendent of schools shall appoint ~~act as~~ an ombudsperson who is fair and impartial and familiar with the educational rights and needs of homeless children to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under this Act ~~, except in Cook County, where each school district shall designate a person to serve as ombudsperson when a dispute arises.~~ If a school denies a homeless child enrollment or transportation, it shall immediately refer the child or his or her parent or guardian to the ombudsperson and provide the child or his or her parent or guardian with a written statement of the basis for the denial. The child shall be admitted and transported to the school chosen by the parent or guardian ~~parents or guardians~~ until final resolution of the dispute. The ombudsperson shall convene a meeting of all parties and attempt to resolve the dispute within 5 school days after receiving notice of the dispute , if possible.

(a-5) Whenever a child and his or her parent or guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, a school district may, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist. The district may, at the time of review, request information from the parent or guardian to reasonably establish the hardship, and sworn affidavits or declarations may be sought and provided. If, upon review, the district determines that the family no longer suffers such hardship, it may notify the family in writing and begin the process of dispute resolution as set forth in this Act. Any change required as a result of this review and determination shall be effective solely at the close of the school year. Any person who knowingly or willfully presents false information regarding the hardship of a child in any review under this subsection (a-5) shall be guilty of a Class C misdemeanor.

(b) Any party to a dispute under this Act may file a civil action in a court of competent jurisdiction to seek appropriate relief. In any civil action, a party whose rights under this Act are found to have been violated shall be entitled to recover reasonable attorney's fees and costs.

(c) If a dispute arises, the school district shall inform parents and guardians of homeless children of the availability of the ombudsperson, sources of low cost or free legal assistance, and other advocacy services in the community.

(Source: P.A. 88-634, eff. 1-1-95.)

(105 ILCS 45/1-30)

Sec. 1-30. McKinney-Vento Education for Homeless Children Act implementation and technical assistance Committee. The Homeless Children Committee is abolished on the effective date of this

amendatory Act of the 94th General Assembly. The Office of the Coordinator for the Education of Homeless Children and Youth, established pursuant to the federal McKinney-Vento Homeless Assistance Act, shall convene meetings throughout the State for the purpose of providing technical assistance, education, training, and problem-solving regarding the implementation of this Act and the federal McKinney-Vento Homeless Assistance Act. These meeting shall include lead liaisons, local educational agency liaisons, educators, shelter, housing, and service providers, homeless or formerly homeless persons, advocates working with homeless families, and other persons or agencies deemed appropriate by the Coordinator. There is hereby created a Homeless Children Committee composed of 24 members, 18 of whom shall be appointed by the State Superintendent of Education after consultation with advocates for the homeless and private nonprofit organizations that advocate an end to homelessness, 2 of whom shall be members of the General Assembly appointed (one from each chamber) by the Governor, and 4 of whom shall be members of the General Assembly appointed one each by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. Of the 18 members appointed by the State Superintendent of Education as provided in this Section, 6 shall be homeless and formerly homeless parents or guardians, 6 shall be providers to and advocates for homeless persons, and 6 shall be school personnel from different geographic regions of the State. Members of the Committee shall serve at the pleasure of the appointing authority and a vacancy on the Committee shall be filled by the appropriate appointing authority. The Committee shall have the authority to review and modify the current and future State plans that are required under the federal Stewart B. McKinney Homeless Assistance Act.

(Source: P.A. 88-634, eff. 1-1-95.)

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1932, 1986, 2032, 2043 and 2066.

SENATE BILL 1967. Having been recalled on May 10, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

SENATE BILL 2091. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2091 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-280 as follows:

(20 ILCS 2310/2310-280 new)

Sec. 2310-280. Clinical trials information. The Director of Public Health shall make available on the Department's website information directing citizens to publicly available information on ongoing clinical trials, and the results of completed clinical studies, including those sponsored by the National Institutes of Health, those sponsored by academic researchers, and those sponsored by the private sector."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2104. Having been recalled on May 10, 2005, and held on the order of Second Reading, the same was again taken up and held on the order of Second Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1878, 1915 and 2116.

SENATE BILL 2060. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Veterans Affairs, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2060 on page 7, by deleting lines 22 and 23; and on page 7, by replacing line 28 with the following: "(1) Except as otherwise provided in Section 4.05, in ~~the~~ all"; and on page 13, by replacing line 14 with the following: "(b) Notwithstanding any contrary provision of State law, but subject to the federal Servicemembers Civil Relief Act, no".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

### RECESS

At the hour of 1:10 o'clock p.m., Representative Hannig moved that the House do now take a recess until the hour of 2:15 p.m..

The motion prevailed.

At the hour of 2:44 o'clock p.m., the House resumed its session.

Representative Hannig in the Chair.

### HOUSE BILL ON SECOND READING

HOUSE BILL 4074. Having been printed, was taken up and read by title a second time.  
Representative Black offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4074 on page 70, line 14, by changing the dollar amount to "\$2,000,000"; and on page 70, line 19, by changing the dollar amount to "\$1,000,000".

Representative Black moves that Amendments Numbered 1, 2 and 3 be heard on one roll call.

And on that motion, a vote was taken resulting as follows:

51, Yeas; 64, Nays; 0, Answering Present.

(ROLL CALL 2)

The motion was lost.

Representative Black moves that the House commit Floor Amendment No. 1 to the Judiciary I – Civil Law Committee.

And on that motion, a vote was taken resulting as follows:

53, Yeas; 61, Nays; 0, Answering Present.

(ROLL CALL 3)

The motion was lost.

Representative Black offered the following amendment and moved its adoption:

And on that motion, a vote was taken resulting as follows:

22, Yeas; 93, Nays; 0, Answering Present.

(ROLL CALL 4)

And the motion on the adoption of the amendment was lost.

There being no further action pending, the bill was held on the order of Second Reading.

**AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 396, 397, 399, 400, 401, 402, 403, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422 and 423 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

At the hour of 4:30 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, May 12, 2005, at 12:30 o'clock p.m.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
QUORUM ROLL CALL FOR ATTENDANCE

May 11, 2005

0 YEAS

0 NAYS

116 PRESENT

P Acevedo	P Delgado	P Lang	P Poe
P Bailey	P Dugan	P Leitch	P Pritchard
P Bassi	P Dunkin	P Lindner	P Reis
P Beaubien	P Dunn	P Lyons, Eileen	P Reitz
P Beiser	P Eddy	P Lyons, Joseph	P Rita
P Bellock	P Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Franks	P McAuliffe	P Saviano
P Boland	P Fritchey	P McCarthy	P Schmitz
P Bost	P Froehlich	P McGuire	P Schock
P Bradley, John	P Giles	E McKeon	P Scully
P Bradley, Richard	P Gordon	P Mendoza	P Smith
P Brady	P Graham	P Meyer	P Sommer
P Brauer	P Granberg	P Miller	P Soto
P Brosnahan	P Hamos	P Millner	P Stephens
P Burke	P Hannig	P Mitchell, Bill	P Sullivan
P Chapa LaVia	P Hassert	E Mitchell, Jerry	P Tenhouse
P Chavez	P Hoffman	P Moffitt	P Tryon
P Churchill	P Holbrook	P Molaro	P Turner
P Collins	P Howard	P Mulligan	P Verschoore
P Colvin	P Hultgren	P Munson	P Wait
P Coulson	P Jakobsson	P Myers	P Washington
P Cross	P Jefferson	P Nekritz	P Watson
P Cultra	P Jenisch	P Osmond	P Winters
P Currie	P Jones	P Osterman	P Yarbrough
P D'Amico	P Joyce	P Parke	P Younge
P Daniels	P Kelly	P Patterson	P Mr. Speaker
P Davis, Monique	P Kosel	P Phelps	
P Davis, William	P Krause	P Pihos	

E - Denotes Excused Absence



STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4074  
MEDICAL MALPRACTICE  
MOTION FOR AMENDMENTS NO.1, 2 & 3  
ALL ON ONE ROLL CALL  
LOST

May 11, 2005

51 YEAS

64 NAYS

0 PRESENT

N Acevedo	N Delgado	N Lang	Y Poe
N Bailey	N Dugan	Y Leitch	Y Pritchard
Y Bassi	N Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	N Reitz
N Beiser	Y Eddy	N Lyons, Joseph	N Rita
Y Bellock	N Feigenholtz	Y Mathias	Y Rose
N Berrios	N Flider	N Mautino	N Ryg
Y Biggins	N Flowers	N May	Y Sacia
Y Black	N Franks	Y McAuliffe	Y Saviano
N Boland	N Fritchey	N McCarthy	Y Schmitz
Y Bost	Y Froehlich	N McGuire	Y Schock
N Bradley, John	N Giles	E McKeon	N Scully
N Bradley, Richard	N Gordon	N Mendoza	N Smith
Y Brady	N Graham	Y Meyer	Y Sommer
Y Brauer	N Granberg	N Miller	N Soto
N Brosnahan	N Hamos	Y Millner	Y Stephens
N Burke	N Hannig	Y Mitchell, Bill	Y Sullivan
N Chapa LaVia	Y Hassert	E Mitchell, Jerry	Y Tenhouse
N Chavez	N Hoffman	Y Moffitt	Y Tryon
Y Churchill	N Holbrook	N Molaro	N Turner
N Collins	N Howard	Y Mulligan	N Verschoore
N Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	N Jakobsson	Y Myers	N Washington
Y Cross	N Jefferson	N Nekritz	Y Watson
A Cultra	Y Jenisch	Y Osmond	Y Winters
N Currie	N Jones	N Osterman	N Yarbrough
N D'Amico	N Joyce	Y Parke	N Younge
Y Daniels	N Kelly	N Patterson	N Mr. Speaker
N Davis, Monique	Y Kosel	N Phelps	
N Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4074  
MEDICAL MALPRACTICE  
MOTION NO. 2 TO COMMIT FA NO.1 TO JUD I  
LOST

May 11, 2005

53 YEAS

61 NAYS

0 PRESENT

N Acevedo	N Delgado	N Lang	Y Poe
N Bailey	N Dugan	Y Leitch	Y Pritchard
Y Bassi	N Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	N Reitz
N Beiser	Y Eddy	N Lyons, Joseph	N Rita
Y Bellock	N Feigenholtz	Y Mathias	Y Rose
N Berrios	N Flider	N Mautino	N Ryg
Y Biggins	N Flowers	N May	Y Sacia
Y Black	N Franks	Y McAuliffe	Y Saviano
N Boland	N Fritchey	N McCarthy	Y Schmitz
Y Bost	Y Froehlich	N McGuire	Y Schock
N Bradley, John	Y Giles	E McKeon	N Scully
N Bradley, Richard	N Gordon	N Mendoza	N Smith
Y Brady	N Graham	Y Meyer	Y Sommer
Y Brauer	N Granberg	N Miller	N Soto
N Brosnahan	N Hamos	Y Millner	Y Stephens
N Burke	N Hannig	Y Mitchell, Bill	Y Sullivan
N Chapa LaVia	Y Hassert	E Mitchell, Jerry	Y Tenhouse
N Chavez	A Hoffman	Y Moffitt	Y Tryon
Y Churchill	N Holbrook	N Molaro	Y Turner
N Collins	N Howard	Y Mulligan	N Verschoore
N Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	N Jakobsson	Y Myers	N Washington
Y Cross	N Jefferson	N Nekritz	Y Watson
A Cultra	Y Jenisch	Y Osmond	Y Winters
N Currie	N Jones	N Osterman	N Yarbrough
N D'Amico	N Joyce	Y Parke	N Younge
Y Daniels	N Kelly	N Patterson	N Mr. Speaker
N Davis, Monique	Y Kosel	N Phelps	
N Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4074  
MEDICAL MALPRACTICE  
FLOOR AMENDMENT NO. 1 - LANG  
LOST

May 11, 2005

22 YEAS

93 NAYS

0 PRESENT

N Acevedo	N Delgado	Y Lang	N Poe
Y Bailey	N Dugan	N Leitch	N Pritchard
N Bassi	N Dunkin	N Lindner	N Reis
N Beaubien	N Dunn	N Lyons, Eileen	N Reitz
N Beiser	N Eddy	Y Lyons, Joseph	N Rita
N Bellock	N Feigenholtz	N Mathias	N Rose
N Berrios	N Flider	N Mautino	N Ryg
N Biggins	N Flowers	Y May	N Sacia
N Black	Y Franks	N McAuliffe	N Saviano
Y Boland	N Fritchey	N McCarthy	N Schmitz
N Bost	N Froehlich	N McGuire	N Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
N Bradley, Richard	N Gordon	N Mendoza	Y Smith
N Brady	Y Graham	N Meyer	N Sommer
N Brauer	N Granberg	Y Miller	N Soto
N Brosnahan	N Hamos	N Millner	N Stephens
N Burke	N Hannig	N Mitchell, Bill	N Sullivan
N Chapa LaVia	N Hassert	E Mitchell, Jerry	N Tenhouse
N Chavez	N Hoffman	N Moffitt	N Tryon
N Churchill	N Holbrook	N Molaro	Y Turner
Y Collins	N Howard	N Mulligan	N Verschoore
Y Colvin	N Hultgren	N Munson	N Wait
N Coulson	N Jakobsson	N Myers	N Washington
N Cross	N Jefferson	Y Nekritz	N Watson
A Cultra	N Jenisch	N Osmond	N Winters
Y Currie	Y Jones	N Osterman	N Yarbrough
N D'Amico	N Joyce	N Parke	Y Younge
N Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
N Davis, Monique	N Kosel	N Phelps	
Y Davis, William	N Krause	N Pihos	

E - Denotes Excused Absence